

- III. Claims 18-20 and 21, drawn to a method of treating or preventing development of disease with a nucleic acid, classified in Class 514; Subclass 44;
- IV. Claims 18-20 and 22, drawn to a method of treating or preventing development of disease with a protein, classified in Class 514; Subclass 2;
- V. Claim 23, drawn to method of identifying an agent which binds to nucleic acids, classified in Class 435; Subclass 7.1;
- VI. Claim 24, drawn to a method of identifying an agent which binds to nucleic acids, classified in Class 435; Subclass 6;
- VII. Claim 25, drawn to a method of identifying an agent that modulates gene expression, classified in Class 435; Subclass 4;
- VIII. Claims 26-27, drawn to antibodies, classified in Class 530; Subclass 387.9;
- IX. Claims 28-29, drawn to a method of establishing a genetic profile, classified in Class 435; Subclass 6;
- X. Claim 30, drawn to a method of selecting a therapeutic, classified in Class 435; Subclass 6;
- XI. Claims 31-32, drawn to primers, classified in Class 536; Subclass 24.3.

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In response, Applicants provisionally elect Group I, Claims 1-3 and 14-17, with traverse. The Restriction Requirement is respectfully traversed for the reasons stated below.

Applicants note that claims in Group VI (claim 24), Group IX (claims 28-29), and Group X (claim 30) are all classified in the same Class 435 and Subclass 6. Also, the subject matter encompassed by these claims are closely related. Therefore, there would be no serious burden on the Examiner to search prior art relating to the subject matter. To the contrary, it is natural and reasonable and desirable to search prior art in connection with examination of these claims. Accordingly, Applicants respectfully submit that claims 24, 28-29, and 30 should be in a single group.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (650) 326-2400 x 5209.

Respectfully submitted,



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